

**REMARKS**

**I. Status of the Claims:**

Claims 1-6 are currently pending in the application.

By this Amendment, claims 1 and 5-6 have been canceled without prejudice or disclaimer, claims 2-4 have been amended, and claims 7-9 have been newly added. No new matter is believed to have been added by these amendments. Upon entry of this Amendment, claims 2-4 and 7-9 would be pending.

**II. Information Disclosure Statement:**

The references identified in the Background of the application is being submitted in an Information Disclosure Statement (IDS) for consideration by the Examiner.

**III. Specification and Title:**

The Examiner requested to correct the abstract to include proper language and format. The specification is objected to because of some minor informalities, and the title is objected to as not descriptive.

The Applicants have amended the specification including the abstract to address the Examiner's concerns. The Applicants have also amended the Title of the Invention to address the Examiner's concerns. Reconsideration and withdrawal of these objections are respectfully requested.

**IV. Claim Objections:**

Claim 5 is objected to under 37 C.F.R. § 1.75(e), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

This claim has been canceled without prejudice or disclaimer, thereby rendering the objection moot.

**V. Rejections under 35 U.S.C. §§ 102 and 103:**

Claims 1-3, 5 and 6 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sakata (US 5,075,713). Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Sakata.

It is respectfully submitted that Sakata does not teach or suggest the subject matter recited in the wherein clauses of claims 2 and 3, as amended.

Claim 2, as amended, recites in part that (1) when switching from the first mode to the second mode, the controller carries out control so as to drive forcibly the magnification-varying lens unit to a wide-angle end, and (2) in a state that the magnification-varying lens unit is driven to the wide-angle end, the first focus lens unit is manually operated to allow manual focusing control. According to this claim, it is possible for example to achieve the beneficial effect disclosed at paragraph [0041] of the specification. That is, by driving forcibly the magnification-varying lens unit to the wide-angle end when the first mode (e.g., AF mode) is changed to the second mode (e.g., MF mode), it is possible to make the defocusing occurred by mode changeover unnoticeable. In other words, the defocusing is unnoticeable since the depth of focus is deepened by driving the magnification-varying lens unit to the wide-angle end.

Claim 3, as amended, recites in part that (A) when switching from the first mode to the second mode, the controller carries out control so as to drive forcibly the magnification-varying lens unit to a telephoto end, and (B) in a state that the magnification-varying lens unit is driven to the telephoto end, the first focus lens unit is manually operated to allow manual focusing control. According to this claim, it is possible to achieve for example the beneficial effect disclosed at paragraph [0047] of the specification. That is, by driving forcibly the magnification-varying lens unit to the telephoto end when the first mode (e.g., AF mode) is changed to the second mode (e.g., MF mode), it is not necessary to operate zooming to the telephoto end to correct defocusing occurred by mode changeover. In other words, it is not necessary to drive the magnification-varying lens unit to the telephoto end since the magnification-varying lens unit is driven beforehand to the telephoto end in accordance with the mode changeover.

In Figure 3 of Sakata, when “distance-to-subject” is between 1.2m and 0.3m, FRONT 11 is fixed. That is, FRONT 11 can not be moved through the manual focusing.

In contrast, according to the claims 2 and 3, the first focus lens unit (corresponding to FRONT 11 of Sakata) can be manually operated to allow manual focusing after the magnification-varying lens unit (corresponding to ZOOM 12 of Sakata) is moved to the wide-angle end or telephoto end.

Thus, claims 2 and 3 and their dependent claims are believed to be distinguishable over the cited reference(s). Reconsideration and withdrawal of the rejection are respectfully requested.

Further, with regard to claim 4, the Applicants respectfully traverse the Examiner's taking of Official Notice in the context of this claim as a whole, and respectfully request that the Examiner provide objective support for the alleged well known fact.

**CONCLUSION**

Based on the foregoing amendments and remarks, the Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

**AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1232-5351.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-5351.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: 11/13/07

By: 

James Hwa  
Registration No. 42,680  
(202) 857-7887 Telephone  
(202) 857-7929 Facsimile

**Correspondence Address:**

Morgan & Finnegan, L.L.P.  
3 World Financial Center  
New York, NY 10281-2101